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SUBJECT: KENYA: GOK THOUGHTS ON DADAAB REFUGEES AND FOURTH  
CAMP

11. Summary: Government of Kenya (GOK) officials underscored the need for a "special solution for a special problem" during a recent discussion about Somali refugees in Kenya with representatives of the Bureau of Population, Refugees, and Migration (PRM). They highlighted Kenya's waning patience with hosting refugees due to the deleterious effects of refugees on the fragile environment and water resources, as well as the proliferation of human and drug trafficking and small weapons smuggling. The GOK remains skeptical of UNHCR's willingness to respond to their concerns and insists that any new camp for refugees should automatically include conditions for host community development. They also cited the need for more humanitarian activities within Somalia to keep Somalis from fleeing their country. Some progress has occurred in regards to the allocation of additional land in Dadaab, but the GOK officials insist that UNHCR demonstrate "honest goodwill" by initiating the transfer of some refugees to Kakuma (at UNHCR expense) and developing and allocating funds for local development projects before a final decision can be made. End summary.

12. Visiting US Mission Geneva Refugee and Migration Counselor Peter Mulrean hosted a March 12 dinner for key government of Kenya (GOK) representatives to hear Kenyan concerns and solutions for mitigating the growing disquiet over Dadaab refugee issues. GOK representatives included Member of Parliament (MP) for Lagadera constituency and Deputy Speaker of Parliament Farah Maalim; MP for Fafi constituency and Assistant Minister for Public Service Aden Sugow; Permanent Secretary (PS) in the Ministry of States for Internal Security and Provincial Administration Francis Kimemia; and PS in the Ministry of Immigration and Registration of Persons Emmanuel Kisombe. Canadian Political Counselor Richard LeBars; Nairobi Political Counselor Mitch Benedict; Nairobi Political Specialist Michael Kamau, along with the Regional Refugee Coordinators from Embassies Addis and Nairobi rounded out the discussion participants.

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"Not Business as Usual Anymore"  
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13. GOK representatives were unanimous in their feeling that, having hosted Somali refugees for the past 18 years in a very fragile environment, Kenyan patience was waning. Citing a host of deleterious effects caused by refugees in Dadaab, including environmental degradation and further depletion of

very limited water resources, loss of livelihoods, increased insecurity, and proliferation of human and small arms trafficking, the Kenyan representatives said automatic agreement to UNHCR requests was no longer possible. They added that future GOK agreements would include "conditionalities" ensuring that the long-term effects on local communities of hosting large numbers of refugees would be addressed. Skepticism that UNHCR would be voluntarily responsive to the needs of local communities was underscored by MP Maalim who said UNHCR acted like "an occupying force" and did not listen to local communities. GOK representatives said they needed to get the UN beyond talking only of "camp, camp, camp" and to address the refugee problem in more comprehensive, holistic terms.

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"Keep Somalis in Somalia"  
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¶4. GOK solutions to addressing Somali refugee issues in Kenya were linked to addressing humanitarian needs inside Somalia. Citing the daily departure of 10-15 minibuses from Dadaab to Mogadishu, one MP wondered why it was not possible to promote refugee returns to southern Somalia or why the international community did not initiate programs inside Somalia to "keep Somalis in Somalia." The MP said food aid could be delivered to the internally displaced persons (IDPs) in Somalia via Kenya limiting the need for Somalis to seek refuge in Kenya to obtain food. He also argued that Kenyan NGOs were willing and able to implement cross-border and development projects inside Somalia if international agencies were unable to do

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so. MP Maalim asserted that if UNHCR anchored Somalis in Somalia in the same manner it anchored Sudanese in southern Sudan, Somalis would begin repatriating. PS Kisombe concurred that a comprehensive plan needed to be developed that included increased border control and security vetting of refugees.

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Security Concerns Linked to Refugees  
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¶5. Security concerns were also linked to the growing presence of Somali refugees in Kenya. PS Kimemia said keeping refugees in the Dadaab area has become a national security threat, referring to the growing influence refugees have on local communities by the Somali refugees bringing their "outside conflicts and dynamics" to Kenya while young Kenyan-Somali men leave Kenya for militia training inside Somalia. Referring to refugee camps as "small kingdoms", Kimemia said camps were outside GOK control and that prosecuting refugees for crimes committed in and around the camps was very difficult under Kenyan law. In particular, Kimemia expressed concern about the increase in drug trafficking through Dadaab (with drugs taken off ships by pirates) and the training of suicide bombers either in the camps or in Somalia. Proposing both the transfer of refugees from Dadaab to Kakuma and the erection of fences around existing camps to control refugee movements as methods to increase security, Kimemia said UNHCR is resisting both options as too expensive.

¶6. When asked if the re-opening of the Liboi transit center (located very close to the Kenya-Somalia border) to conduct security and health screening of incoming refugees would increase the Kenyan sense of security, GOK representatives agreed that more vetting of refugees was needed, but intimated they preferred to retain the "closed" border policy instituted in January 2007. They preferred to concentrate efforts on enhancing the capacity of Kenyan officials to police the Kenya/Somalia border through training, provision of resources such as vehicles and fuel to patrol the border, and receiving funds to deploy at least one police division (and possibly, counter-terrorism troops) along the border. Kimemia also said that the GOK would support the idea of

increasing the number of police to cover the Dadaab area, but did not have the funding to maintain them there. He also felt police there should be trained in handling refugees, as well as some with counter-terrorism training to monitor activities in and around the camps.

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Progress on the Land  
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¶7. MP Sugow clarified that the Garissa Council approved land for an additional camp of 2,000 hectares on the understanding that 30,000 refugees from the existing camp in Hagadera (and not new arrivals) would be relocated there. This would reduce the health, environmental, and security threats posed by the severely overcrowded Hagadera camp. (Comment: UNHCR is planning for the new camp on the basis that 2,000 hectares can accommodate up to 120,000 refugees. GOK Refugee Commissioner Peter Kusimba referred to the new camp holding up to 100,000 in a recent meeting. End comment.) MP Sugow also said UNHCR would first have to build the camp's infrastructure before refugees could be transferred to minimize UNHCR's inclination to encamp refugees on the site prior to its being sufficiently ready to accommodate refugees.

¶8. MP Maalim foreshadowed a delay in awarding land to UNHCR by indicating that the Kenyan Land Trust required a 14-day period for public comment or objection to the allocation of public land, and that he was sure there would be objections to the Garissa Council's decision. The officials were in agreement that while the local community could allocate the land, the final decision on the issue was the domain of the central government. Some of the conditionalities raised by GOK representatives included fencing in of all refugee camps to control the movement of refugees, elimination of all

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refugee livestock herds, and the transfer of 30,000 refugees to Kakuma. MP Sugow also strongly advocated that refugees should no longer be allowed to collect firewood; instead, a community-based organization could be established to collect firewood and then sell it to UNHCR or the refugees as a way to both protect the environment and promote local development.

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"Let's See UNHCR Make the First Move"  
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¶9. GOK representatives agreed that the burden was on UNHCR to demonstrate "honest goodwill" by initiating the transfer of refugees from Dadaab to Kakuma, a UNHCR commitment that evoked skepticism among the GOK participants. All GOK representatives agreed that developing a plan and allocating funding to address community needs was another priority action step UNHCR had to initiate (particularly plans to address environmental degradation) before a final decision on a fourth camp could be made. GOK representatives said if UNHCR began movement on these issues, they would work on getting formal allocation of land for a fourth camp. GOK representatives also wanted the UN to develop a coordinated plan to reduce the Somali refugee burden in Kenya that included funding for a Kenyan national security plan and cross-border operations that would facilitate the repatriation of Somalis back to Somalia. Of note, the GOK representatives presented different figures for the number of refugees to be transferred to Kakuma, originally stating 30,000 but then changing the number to 50,000.

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Comment  
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¶10. The frank dinner conversation underscored the frustrations of GOK officials not only with the burden of hosting Somali refugees but also with UNHCR and the international community, which they see as only asking more

of Kenya without addressing Kenya's needs. The process of how exactly to acquire additional land seems to be kept deliberately vague to allow these officials or others in the GOK to block approval of the land unless their conditions (which have not yet been officially submitted to UNHCR) are met. Addressing the security concerns is also critical in "unlocking" the allocation of land, but whether UNHCR and/or the UN Country Team can meet these conditionalities remains to be seen. In order to get agreement for a fourth camp, UNHCR has to build confidence within the GOK that it is not only concerned about refugees, but their impact as well. Developing a long-term environmental rehabilitation plan with committed funding would be one example of a measure to build that confidence. Addressing security concerns about the cross-border movement of Somalis would be another. These are areas that go well beyond UNHCR's mandate, however. The international community may need to prepare for more than a "symbolic" transfer of refugees to Kakuma and to continue pushing the UN to develop a more comprehensive plan to minimize the refugee burden on Kenya.

RANNEBERGER